

A bill for an act

relating to health care; renaming special transportation services; modifying medical transportation requirements; modifying reimbursement; amending Minnesota Statutes 2008, section 256B.0625, subdivision 17.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 256B.0625, subdivision 17, is amended to read:

Subd. 17. **Transportation costs.** (a) For purposes of this subdivision, the following terms have the meanings given unless otherwise provided for in this subdivision.

(1) "Ambulette transportation" means nonemergency medical transportation to or from a covered service that is provided to a recipient who has a physical or mental impairment that prohibits the recipient from independently and safely accessing and using a bus, taxi, other commercial transportation, or private automobile.

(2) "Medical transportation" means the transport of a recipient to obtain a covered service or the transport of a recipient after the covered service is provided.

(3) "Rural urban commuting area" or "RUCA" means an area determined to be urban, rural, or super rural by the Centers for Medicare and Medicaid Services for purposes of Medicare reimbursement of ambulance services.

(b) Medical assistance covers medical transportation costs incurred solely for obtaining emergency medical care or transportation costs incurred by eligible persons in obtaining emergency or nonemergency medical care when paid directly to an ambulance company, common carrier, or other recognized providers of transportation services.

Medical transportation must be provided by:

(1) an ambulance, as defined in section 144E.001, subdivision 2;

(2) ambulette transportation; or

(3) common carrier including, but not limited to, bus, taxicab, other commercial carrier, or private automobile.

~~(b)~~ (c) Medical assistance covers ~~special~~ ambulette transportation, as defined in Minnesota Rules, part 9505.0315, subpart 1, item F, if the recipient has a physical or mental impairment that would prohibit the recipient from safely accessing and using a bus, taxi, other commercial transportation, or private automobile.

The commissioner may use an order by the recipient's attending physician to certify that the recipient requires ~~special~~ ambulette transportation services. ~~Special Ambulette~~ transportation includes providers shall perform driver-assisted service to services for eligible individuals. Driver-assisted service includes passenger pickup at and return to the individual's residence or place of business, assistance with admittance of the individual to the medical facility, and assistance in passenger securement or in securing of wheelchairs or stretchers in the vehicle. ~~Special Ambulette~~ transportation providers must obtain written documentation from the health care service provider who is serving the recipient being transported, identifying the time that the recipient arrived. ~~Special Ambulette~~ transportation providers may not bill for separate base rates for the continuation of a trip beyond the original destination. Special Ambulette transportation providers must take recipients to the nearest appropriate health care provider, using the most direct route ~~available~~. The ~~maximum~~ minimum medical assistance reimbursement rates for ~~special~~ ambulette transportation services are:

(1) for areas defined under RUCA to be urban:

(i) \$17 for the base rate and \$1.35 per mile for ambulette transportation services to eligible persons who need a wheelchair-accessible van;

~~(2)~~ (ii) \$11.50 for the base rate and \$1.30 per mile for ambulette transportation services to eligible persons who do not need a wheelchair-accessible van; ~~and~~

~~(3)~~ (iii) \$60 for the base rate and \$2.40 per mile, and an attendant rate of \$9 per trip, for ambulette transportation services to eligible persons who need a stretcher-accessible vehicle; ~~and~~

(iv) for all ambulette transportation services for a trip equal to or exceeding 51 miles, the provider shall receive mileage reimbursement for each mile equal to or exceeding 51 miles at 125 percent of the respective mileage rates in this paragraph;

(2) the base rates for ambulette transportation services in areas defined under RUCA to be rural shall be equal to the reimbursement rate established in clause (1) plus one percent;

(3) the base rates for ambulette transportation services in areas defined under RUCA to be super rural shall be equal to the reimbursement rate established in clause (1) plus 22.6 percent; and

(4) for ambulette transportation services in areas defined under RUCA to be rural and super rural areas:

(i) for a trip equal to 17 miles or less, mileage reimbursement shall be equal to 150 percent of the respective mileage rate in clause (1);

(ii) for a trip between 18 and 50 miles, mileage reimbursement shall be equal to 100 percent of the respective mileage rate in clause (1); and

(iii) for a trip equal to or exceeding 51 miles, mileage reimbursement shall be equal to 125 percent of the respective mileage rate in clause (1).

(d) For purposes of reimbursement rates for ambulette transportation services under paragraph (c), the recipient's place of residence shall determine whether the urban, rural, or super rural reimbursement rate applies.

Sec. 2. **REIMBURSEMENT REFORM ACT.**

Section 1 shall be referred to as the "Nonemergency Medical Transportation Reimbursement Reform Act of 2009."

Sec. 3. **REVISOR'S INSTRUCTION.**

In Minnesota Statutes, sections 256B.04, 256B.062, and 256D.03, and Minnesota Rules, chapter 9505, the revisor of statutes shall change the terms "special transportation services" and "special transportation" to "ambulette transportation services" and "ambulette transportation," as appropriate, wherever the terms appear.